

FORM PTO-1390 (Modified)  
(REV 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

79493-PCT

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

60/213,824 09/914969

INTERNATIONAL APPLICATION NO.  
PCT/US01/20064INTERNATIONAL FILING DATE  
22/06/01PRIORITY DATE CLAIMED  
23/06/00

TITLE OF INVENTION

DIVING MASK WITH EMBEDDED COMPUTER SYSTEM

APPLICANT(S) FOR DO/EO/US

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Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

## Items 13 to 20 below concern document(s) or information included:

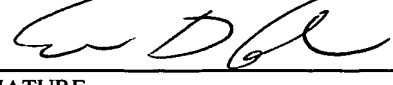
13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☒ Certificate of Mailing by Express Mail
23. ☐ Other items or information:

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.53(a)) 60/23,844/91496.9	INTERNATIONAL APPLICATION NO. PCT/US01/20064	ATTORNEY'S DOCKET NUMBER 79493-PCT
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24. The following fees are submitted: <b>BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5)) :</b> <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <b>\$1000.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$860.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$710.00</b> <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$690.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b> <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>CALCULATIONS PTO USE ONLY</b>	
				<b>\$690.00</b>	
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				<b>\$0.00</b>	
<b>CLAIMS</b>	<b>NUMBER FILED</b>	<b>NUMBER EXTRA</b>	<b>RATE</b>		
Total claims	18 - 20 =	0	x \$18.00	<b>\$0.00</b>	
Independent claims	3 - 3 =	0	x \$80.00	<b>\$0.00</b>	
Multiple Dependent Claims (check if applicable).				<input type="checkbox"/>	<b>\$0.00</b>
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$690.00</b>	
<input checked="" type="checkbox"/> Applicant claims small entity status. (See 37 CFR 1.27). The fees indicated above are reduced by 1/2.				<b>\$345.00</b>	
<b>SUBTOTAL =</b>				<b>\$345.00</b>	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				<b>\$0.00</b>	
<b>TOTAL NATIONAL FEE =</b>				<b>\$345.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).				<input type="checkbox"/>	<b>\$0.00</b>
<b>TOTAL FEES ENCLOSED =</b>				<b>\$345.00</b>	
				<b>Amount to be: refunded</b>	<b>\$</b>
				<b>charged</b>	<b>\$</b>

- a. ☒ A check in the amount of \$345.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23-0920 A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:  <b>Eric D. Cohen, Esq.</b> <b>Welsh &amp; Katz, Ltd.</b> <b>120 South Riverside Plaza</b> <b>22nd Floor</b> <b>Chicago, Illinois 60606</b> <b>U.S.</b>	 <b>SIGNATURE</b>  <b>Eric D. Cohen, Esq.</b> <b>NAME</b>  <b>38,110</b> <b>REGISTRATION NUMBER</b>  <b>September 6, 2001</b> <b>DATE</b>
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**WELSH & KATZ, LTD.**

*Attorneys at Law*

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\* ALSO ADMITTED IN DISTRICT OF COLUMBIA


September 6, 2001

Box PCT

Commissioner for Patents  
Washington, D.C. 20231

Re: Applicant: Comsonics, Inc.  
International Application No. PCT/US01/20064  
International Filing Date: June 22, 2001  
DIVING MASK WITH EMBEDDED  
COMPUTER SYSTEM  
Our File No. 4013-79493-PCT

I hereby certify that this paper is being  
deposited with the United States Postal  
Service as Express Mail in an envelope  
addressed to Box PCT, Commissioner  
for Patents, Washington, D.C. 20231, on  
this date.

9-6-01   
Date  
Express Mail No. EL854676961US

Dear Sir:

Enclosed herewith are the following:

1. Transmittal letter (in duplicate);
2. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US)  
Concerning a Filing Under 35 U.S.C. 371 (in duplicate);
3. Copy of International Application as originally filed;
4. Copy of Transmittal of Formal Drawings and nine sheets of formal drawings;
5. Executed Declaration and Power of Attorney;
6. Information Disclosure Statement and Form PTO-1449 (in duplicate);
7. Copies of 12 prior art references cited therein;
8. Check in the amount of \$345; and
9. Postcard.

09/914969

516 Rec'd PCT/PTO 06 SEP 2001

Box PCT  
Commissioner for Patents  
September 6, 2001  
Page 2

The Commissioner is hereby authorized to charge any fees which may be required, including, if necessary, the filing fee if the above-referenced checks are in the wrong amount, unsigned, postdated, or otherwise improper or informal or missing, or credit any overpayment to Deposit Account No. 23-0920. A duplicate copy of this sheet is enclosed.

Very truly yours,

WELSH & KATZ, LTD.

By

  
Eric D. Cohen

EDC/mjc  
Enclosures